

# **Exhibit 1**

## **Affidavit of John Hawkins**

STATE OF SOUTH CAROLINA                    )  
  )  
COUNTY OF GREENVILLE                    )       AFFIDAVIT OF JOHN HAWKINS

John Hawkins, being first duly sworn gives this Affidavit under oath:

1. My name is John Hawkins. I am over eighteen years old and am fully competent to give this sworn affidavit. I am a named Plaintiff in an action currently pending in the United States District Court, District of South Carolina, captioned John Hawkins et. al. v. The Commission on Lawyer Conduct, et. al. Civil Action No.: 3:21-cv-01319-JMC.
2. I am an attorney licensed to practice law and practicing law in the State of South Carolina. I was admitted to the South Carolina bar in 1994 and have remained in good standing since that time.
3. I have my own law firm, HawkLaw, PA which is also a named Plaintiff in the case identified in paragraph 1 to this affidavit. HawkLaw is a corporation organized and existing under the laws of the State of South Carolina.
4. HawkLaw, PA employs several attorneys, paralegals and support staff.
5. HawkLaw, PA uses a variety of advertisements including television commercials and various other advertisements. These ads are bought and paid for by HawkLaw, PA. I do not personally pay for any of the advertisements. All advertisements bearing my name are paid for by HawkLaw, PA.
6. Phone calls and leads generated from perspective clients from the advertisements HawkLaw, PA runs all go to HawkLaw, PA. The clients I represent are all through my law firm, HawkLaw, PA.
7. To the best of my knowledge, all of the clients that the other attorneys in my law firm represent are through their employment with HawkLaw, PA and I have directed all the attorneys in my law firm not to represent clients outside or independently of their employment with HawkLaw, PA.
8. In compliance with Rule 7.2(d) of the Rules of Professional Conduct I am the "lawyer responsible for [the] content[s]" of ads run and paid for by HawkLaw, PA. I have not asked or required any of the other attorneys at HawkLaw, PA to be responsible for the content of ads because I am the owner of HawkLaw, PA and because I do not want to subject any of the other attorneys at my law firm to unfounded allegations of professional misconduct for the content of advertisements.

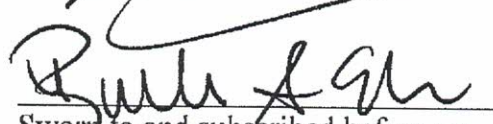


9. Since 2014, I have received four (4) separate certified letters from the Office of Disciplinary Counsel notifying me that I am under investigation related solely to the contents and substance of advertisements run by HawkLaw, PA.
10. I would have received the first of these four letters in 2014. In part, the letter complained that I had violated the Rules of Professional Conduct related to a phrase used in HawkLaw advertisements, "expect more."
11. I received a "letter of caution" related to that matter in 2015. HawkLaw, PA has not used the phrase "expect more" in advertisements since that time because doing so is likely to subject me to additional disciplinary action.
12. It is my understanding that the 2015 "letter of caution" completed and closed the 2014 investigation noted above. Since the "letter of caution" I am not aware of any other action or proceedings related to this matter except for the action noted in paragraph 1 of this affidavit.
13. In 2017 I received a certified letter from ODC indicating that another investigation was being opened because of advertisements using the nickname "the Hawk" and my law firm name, "HawkLaw."
14. I was surprised by the substance and content of the complaint related to my use of "the Hawk" and "HawkLaw" because it was my understanding that ODC would not pursue charges against me related to these terms since hawk is part of my given legal name.
15. In 2018 and again in 2019, I received two additional certified letters from ODC opening investigations against me related to various advertisements run and paid for by HawkLaw. Among other action we took in response to these investigations is that HawkLaw pulled the ads at issue and have not run those ads since. In addition, HawkLaw has not run other ads based on the four ODC investigations noted above because I fear additional disciplinary action if HawkLaw runs these ads.
16. I believe these ads referenced above which are part of ODC's charges against me fully comply with the Rules of Professional Conduct. I am refraining from running these and other ads because of the fear of prosecution by ODC.

Further deponent sayeth not.



John Hawkins



Sworn to and subscribed before me  
This 25 day of October, 2021

Notary Public for the State of: South Carolina  
My Commission Expires: Nov 13, 2025